

STATE OF ALABAMA
ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS
COMMUNITY AND ECONOMIC DEVELOPMENT DIVISION
401 Adams Avenue, Room 500; Post Office Box 5690
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REQUEST FOR PROPOSALS
for Conducting the Montgomery-Mobile Phase II Portion of the
Birmingham-Montgomery-Mobile Intercity Passenger Rail Feasibility Study

The State of Alabama, by and through the Alabama Department of Economic and Community Affairs (ADECA) and its Community and Economic Development Division (CED Division), is the recipient of the Birmingham-Montgomery-Mobile Intercity Passenger Rail Feasibility Study Grant Agreement #FR-IPR-0070-12 (Grant) issued on April 1, 2012 and administered by the U. S. Department of Transportation's Federal Railroad Administration (FRA). In efforts to comply with the Grant's terms, ADECA and its CED Division must prepare a revenue, ridership, and feasibility study (Study) for the return of passenger rail service to the former "Gulf Breeze" corridor between Birmingham, Montgomery, and Mobile, Alabama. The Grant requires the Study to be conducted in two phases: Phase I pertains to rail service between Birmingham and Montgomery, and Phase II pertains to rail service between Montgomery and Mobile. Phase I of the Study was completed in December 2013, and a copy of it can be found at <http://adeca.alabama.gov/Divisions/ced/Pages/default.aspx> under the heading "Passenger Rail Study." ADECA is now requesting proposals to be submitted from qualified consultants and others (Proposers) to conduct Phase II of the Study.

I. GENERAL TERMS AND CONDITIONS FOR SERVICES

A. Introduction. The Study is to recommend future development milestones for preparation of a service development plan, environmental review, and preliminary and final design and construction of the new service in a future separately-funded project. In December 2016, ADECA received and commenced implementing the Grant for conducting Phase II of the Study. Within the Grant's timeline as it may be periodically amended by FRA, ADECA must provide to FRA a completed Phase II of the Study. This RFP requests the Proposer's Phase II proposal representing the completion of the "Montgomery to Mobile Intercity Passenger Rail Service Feasibility Study" to test the feasibility of new intercity passenger rail service connecting Montgomery to Mobile. In order to assess the feasibility of passenger rail service connecting Alabama's cities of Birmingham, Montgomery, and Mobile, Phase II's activities will include:

1. Conducting revenue, cost, and ridership analyses;
2. Conducting stakeholder outreach; and
3. Conducting service planning.

B. Qualifications. All responses to this RFP must include information regarding the Proposer's experience in passenger rail studies, with particular regard to the following areas:

1. Experience with Alternatives Analysis Development, Capital and O&M Cost Estimations, Cost Benefit Evaluation, and System Planning and Assessment;

2. Experience with FRA project development process;
3. Experience with analyzing impacts in all areas: economic, infrastructure, environment, costs, and needs assessment;
4. Experience with passenger rail and freight rail systems.

C. Evaluation Criteria. All proposals submitted in response to this RFP will be evaluated by the ADECA CED Division, which will select the winning proposal. The ADECA CED Division shall consider and evaluate, but shall not be limited to, each of the following factors according to the point scale contained in the chart below. A Proposal with the highest total score will receive the award, unless a satisfactory arrangement cannot be negotiated with that selected Proposer. In such case, ADECA will negotiate with the Proposer whose Proposal received the next highest score. ADECA also reserves the right to reject any or all Proposals that are submitted in response to this RFP.

RFP Evaluation Factors	Points
1. Proposal's compliance with RFP instructions	10 points
2. Qualifications of Proposer	20 points
3. Background and experience of Proposer's personnel	20 points
4. Proposal's Scope of Work Plans / Detailed Deliverables / Cost Effectiveness	50 points
Total Points	100 points

D. Scope of Work. Phase II of the Study will be the *Montgomery to Mobile Intercity Passenger Rail Service Feasibility Study*. The ADECA CED Division will expect the Proposer to complete the work program as specified in this Scope of Work during the Grant's funding period (which is currently December 20, 2016 through May 31, 2017, but which may be extended by the FRA upon request from ADECA) as well as the contract period established by ADECA for Phase II. The Proposer shall plan for all work products and deliverables to be completed by the end of the Grant period and contract period. The Scope of Work will consist of the following Tasks:

Task 1. Public Participation Program. The stakeholder outreach / public participation process will be informed by a stakeholder and public participation plan designed to reach target audiences that will include agency planning partners and elected officials. The Public Participation Program will support the development of the Study and include outreach through informal meetings to understand the perspectives of stakeholders who have critical input to the future implementation of the intercity passenger rail service, including key elected officials, representatives from Alabama's State agencies, local municipalities, metropolitan planning organizations, regional planning commissions, economic development agencies, local chambers of commerce, and the freight railroads.

Task 2. Alternatives Development. The Ridership, Revenue, and Cost Analysis will examine intercity passenger rail service alternatives between the Montgomery and Mobile endpoints on the CSXT route of the previously-existing Amtrak "Gulf Breeze" Passenger Rail Service that connected Birmingham to Mobile from 1989 to 1995. Necessary capacity and safety infrastructure improvements to this corridor will be identified. Station locations will be identified for schedule and ridership evaluation, but specific sites and station improvements will not be determined or studied in detail in Phase II. Train service schedules will be developed for

each alternative. Alternatives to be evaluated will include one to six daily round trips and will presume contract operations with an existing passenger rail operator.

Task 3. Demand and Revenue Estimation. A methodology using standard demographic techniques will be used to estimate ridership for each alternative for the proposed service start year and at service years 5, 10, and 20. Revenues will be determined from operating the rail service. In addition, provide an estimate of any ancillary revenues expected from operating the rail system and estimates of similar fare or trip costs from alternative modes of transportation such as auto or bus.

Task 4. Capital Cost Estimation and Operation & Maintenance (O&M) Cost Estimation. The Capital Cost Estimation process will provide a cost estimate of all capital investments required to operate the new system as defined by the Alternatives Development process and the projected level of demand. The Operation and Maintenance (O&M) Cost Estimation will include the detailed system description needed to support the estimation of operation and maintenance costs. Capital Costs will be determined for the major components of an operating rail corridor, including:

1. mainline right-of-way (ROW) including track, signals, and bridges;
2. vehicles;
3. stations and parking;
4. maintenance facilities; and
5. land acquisition.

The O&M Cost Estimation will be developed on the basis of unit costs that are driven by both variable and fixed cost elements. The variable cost drivers will include: ridership, train miles, and track miles, all of which relate to track and train maintenance, energy, insurance, and crew costs. The fixed costs will relate to administration, marketing, and information systems. The variable ridership, train miles, and track miles are clearly dependent on the size of the operation and the scale of the system. Increased ridership, train miles, and track miles reduce the impact of fixed costs on the average cost of the overall system.

Task 5. Cost Benefit Evaluation. Capital and annualized operating costs will be calculated for each build service alternative. This will be the primary metric for determining if further consideration of intercity passenger service is warranted, and which build alternative(s) should be advanced into environmental analysis and preliminary design. Operating costs, less passenger revenue, will be a major determinant for the feasibility of the service.

Task 6. System Planning and Assessment. A general system review will be conducted to review and summarize the various service alternatives in consideration of various improvement options and financial viability, and to assess their advantages and disadvantages in a societal context. It will also include typical rail operating and financial measures useful for comparing the rail improvement options evaluated in this Study to rail systems (existing or planned) in other regions and contexts.

E. Projected Budget. The projected total budget for Phase II of the Study is \$161,750.00. This amount is comprised of \$80,875.00 in federal funds provided to ADECA pursuant to the Grant administered by the FRA, plus \$80,875.00 in matching funds.

F. Milestones and Deliverables. Phase II of the Study is to be completed according to the Grant's performance period provided to ADECA by the FRA, the deadline for which is currently May 31, 2017, but which deadline may be extended by the FRA upon request from

ADECA. The principal deliverables will be (i) a report detailing the Montgomery to Mobile Intercity Passenger Rail Service Feasibility Study's findings for passenger rail connectivity between Montgomery and Mobile, and (ii) an Executive Summary of that report. The selected Proposer may be required to make two presentations as and when determined by ADECA. In addition, the selected Proposer will be required to submit quarterly progress reports to ADECA. Such reports as well as the completed Study will subsequently be made available for public viewing and inspection, and for submission to the FRA as a term of the Grant.

G. FRA Review of Work Products. Phase II of the Study will also include the FRA's reviewing the methodology for travel demand forecasting, the proposed infrastructure improvements to accommodate passenger rail service, and the Montgomery to Mobile Intercity Passenger Rail Service Feasibility Study results. The FRA may comment on any and all aspects of the Study, and may participate in progress meetings and project-related activities. The FRA is to approve all final work products before they may be considered to be complete pursuant to the terms and conditions of the Grant.

H. Presentation. Proposers submitting proposals to ADECA in response to this RFP may be invited to make one or more presentations of their proposals. If so, the Proposer will be notified of the date and time of any such presentation(s). All costs incurred by the Proposer relative to such presentation(s) will be the responsibility of the Proposer. ADECA reserves the right for the ADECA CED Division to reevaluate any and all submitted proposals after all such presentation(s) have been made.

I. Project Schedule. The period of performance for Phase II of the Study will go according to the project performance period established in the Grant as well as the contract period established by ADECA for Phase II. The Grant's funding period is currently December 20, 2016 through May 31, 2017, and the Grant's project performance period is currently April 1, 2012 through May 31, 2017; however, those periods may be extended by the FRA upon request from ADECA. Thus, the planned start date is February 9, 2017, and the planned end date is May 31, 2017. A project schedule will be developed by the selected Proposer and approved by ADECA - and may also be approved by the FRA - as one of the first deliverables. Any modifications to the project schedule must be approved in writing by ADECA - and may also be approved by the FRA - before taking effect. ADECA anticipates the following schedule for conducting Phase II of the Study:

Proposed Milestones	Proposed Dates
1. Date on which the RFP is released by ADECA	Wednesday, January 18, 2017
2. Date on which Proposals are due to be submitted to ADECA	Wednesday, January 25, 2017
3. Date on which ADECA selects and notifies the successful RFP Proposer	Thursday, January 26, 2017
4. ADECA's issuance of a Contract for the selected Proposer to sign and return to ADECA	Thursday, January 26, 2017 - Friday, January 27, 2017
5. Date on which ADECA submits Contract to the Alabama Contract Review Permanent Legislative Oversight Committee for its review	Monday, January 30, 2017

6. Date on which the Alabama Contract Review Permanent Legislative Oversight Committee meets to review the Contract	Thursday, February 9, 2017
7. ADECA's issuance of a Notice to Proceed to the selected Proposer / Start Date of Contract	Thursday, February 9, 2017 or later
8. Dates on which the Study's quarterly progress reports are due to be submitted to ADECA by the selected Proposer	<u>Quarter 1</u> (January 1, 2017 through March 30, 2017): April 10, 2017 <u>Quarter 2</u> (April 1, 2017 through June 30, 2017): July 10, 2017 <u>Quarter 3</u> (July 1, 2017 through September 30, 2017): October 10, 2017 (if necessary) <u>Quarter 4</u> (October 1, 2017 through December 31, 2017): January 10, 2018 (if necessary)
9. Dates on which the Study's quarterly progress reports are due to be submitted to the FRA by ADECA	<u>Quarter 1</u> (January 1, 2017 through March 30, 2017): April 30, 2017 <u>Quarter 2</u> (April 1, 2017 through June 30, 2017): July 30, 2017 <u>Quarter 3</u> (July 1, 2017 through September 30, 2017): October 30, 2017 (if necessary) <u>Quarter 4</u> (October 1, 2017 through December 31, 2017): January 30, 2018 (if necessary)
10. Date on which the selected Proposer is to submit to ADECA the completed Montgomery to Mobile Intercity Passenger Rail Feasibility Study (*this date may be extended by the FRA upon request submitted by ADECA)	*Wednesday, May 31, 2017
11. Date on which the Birmingham-Montgomery-Mobile Intercity Passenger Rail Feasibility Study Grant Agreement #FR-IPR-0070-12 expires (*this date may be extended by the FRA upon request submitted by ADECA)	*Wednesday, May 31, 2017
12. Date on which ADECA is to submit the Study's Final Progress Report to the FRA (*this date may be extended by the FRA upon request submitted by ADECA)	*Tuesday, August 29, 2017 (90 days after the ending date of the Grant)

J. Performance Objectives and Deliverables for the Completed Phase II of the Study. The proposed items in the implementation schedule for Phase II may include, but may not be limited to, the following:

1. Initial project meeting
2. Selected Proposer to initiate / begin Phase II
3. Purchase Cell Phone / GPS data: In Phase 1 of the Project (Birmingham to Montgomery), the Project team used the Alabama Statewide Travel Model (ASTM) data sets to

forecast future travel in the corridor. ASTM is a statewide travel model whose primary purpose is to forecast traffic volumes on major roads (freeways, state highways, etc.). Because statewide models are usually based on limited travel survey data that is expanded for future years, they often are not reliable for corridor-specific intercity transit demand analyses. Cell phone / GPS based data provide actual patterns of travel made in the study area. The sample size used in cell phone data base is very large, in the order of 50 to 60 percent, and therefore, the database is robust. Some specific data that can be obtained from cell phone/GPS data base include:

- a. Number of trips made between selected origin and destination points in the study area,
- b. Frequency of trips,
- c. Number of through trips,
- d. Peak versus non-peak trips, and
- e. Distribution of trips by travel paths.

Using cell phone/GPS data to analyze current travel patterns in the Huntsville / Birmingham / Montgomery / Mobile corridor and to estimate potential commuter rail demand is a relatively easy and accurate option compared to applying the ASTM statewide model.

4. Post-award meeting for the selected Proposer to identify goals, strategies, and activities planned to meet the objectives of Phase II.

5. The selected proposer may be required to coordinate work efforts with CSX Transportation associated with travel demand modeling and cost estimation of needed improvements in the passenger rail corridor. Said modeling can include RTC modeling, which is a software package that dispatches trains using the same elements as a human dispatcher, wherein the result will show the future capacity of the CSX main line track(s). CSX can provide the future freight traffic (for example, 20 years in the future) and the selected Proposer will add the future passenger traffic to the model. The model, using the existing infrastructure, would show the “choke points” in the system. The modeler would attempt to fix the system by adding sidings or additional mains to keep the current freight level of service, which would be a CSX requirement. CSX could be involved in Phase II because this Study could need CSX’s future traffic predictions as well as CSX’s approval of this model. The selected Proposer would need to have the RTC software for use in conjunction with CSX in predicting future freight service, proposed corridor improvements, and related matters.

6. The selected Proposer will provide all required reports to ADECA throughout the grant period as well as by the end of the grant period.

ADECA will require that the completed Phase II of the Study shall be submitted to ADECA’s CED Division on or before an agreed-upon date. The completed Phase II of the Study is to be submitted in both a paper format and an electronic format. One (1) original and four (4) hard (paper) copies of the completed Phase II of the Study are to be provided to ADECA for ADECA’s subsequent submission to the FRA and other interested parties. The electronic copy of the completed Phase II of the Study is to be submitted in (i) the Microsoft Word format and (ii) the .pdf format. The paper format is to be sent to the following address:

Mr. Shabbir Olia, Division Chief
Alabama Department of Economic and Community Affairs (ADECA)
Community and Economic Development Division
401 Adams Avenue, Room 500; Post Office Box 5690
Montgomery, Alabama 36103-5690

The electronic format is to be submitted through an email sent to Mr. Shabbir Olia at Shabbir.olia@adeca.alabama.gov.

II. PROPOSAL COMPONENTS

A. Cover Letter. Proposers shall provide a cover letter introducing the Proposal as to its content and purpose. The cover letter should identify the individual within the Proposer's organization who will respond to questions which ADECA may ask regarding the Proposal, and should include the individual's title, phone number, fax number, e-mail address, and mailing address where he/she can be contacted. Include specific highlights of the Proposer's organization, and provide required deliverables. The cover letter must have an original signature, and must accompany the **original** Proposal. A copy of the cover letter should accompany each copy of the Proposal.

B. The Proposal. The Proposal shall include the following Sections:

Section 1: Company Overview. This section shall include the following information about the Proposer's organization, and include the same information about any proposed subcontractor, including a brief statement as to the subcontractor's role:

1. The organization's name and business address, including phone number, fax number, and website address;
2. The year the organization was established, (include former names and year established, if applicable);
3. The type of ownership and parent company of the organization, if applicable;
4. An indication of the organization's licensing and certifications; and
5. The name and business address, including phone number, fax number, and website address, of the organization's project manager for Phase II of the Study.

Section 2: Technical Approach. This section is intended to be the heart of the Proposal and shall include a narrative of the Proposer's knowledge and experience necessary to complete the scope of work for Phase II of the Study. This section shall demonstrate that the Proposer understands the specifications for Phase II of the Study. If the Proposer chooses to also submit an alternate approach, it should be described at the end of this section and marked as "Section 2a."

Section 3: Project Schedule. This section shall include a one-page schedule for completion of the scope of work for Phase II of the Study, and of the deliverables identified. The schedule should include the proposed start date, end date, and intermediate deliverables dates. If the Proposer chooses to also submit an alternate approach, such alternate should include a one-page schedule for that alternate approach, it should be added at the end of this section and marked as "Section 3a."

Section 4: Key Personnel. This section shall include a detailed list of relevant qualifications and experience of the key personnel whom the Proposer will be assigning to Phase II of the Study. The office in which each person is normally located should be indicated. Appropriate résumés of those personnel should also be included.

Section 5: Related Experience. This section shall include a description of the experience that exhibits the Proposer’s organizational capabilities in the areas required to complete the scope of work for Phase II of the Study. The Proposer should be specific in describing projects, identify what office(s) within the organization performed that work, and include the name of the client organization and/or person with whom ADECA can contact for a reference.

Section 6: Cost of Proposal. This section shall include a description of the cost in terms of all pricing information relative to performing the services described in this RFP, and shall include:

1. A total all-inclusive maximum proposal price to contain all direct and indirect costs, including all out-of-pocket expenses. ADECA will not be responsible for any expenses incurred in preparing this Proposal, and such costs should not be included.
2. A page entitled “ALL INCLUSIVE MAXIMUM PRICE” detailing all professional fees and associated expenses presented in a format that supports the total all-inclusive maximum Proposal that is being put forward to ADECA.
3. The proposed manner of payment and/or payment terms.

III. TERM OF CONTRACT

A. Written Contract. Following the ADECA CED Division’s selection of a Proposal submitted in response to this RFP, the selected Proposer shall be notified and a written contract shall be entered into by and between ADECA and the selected Proposer. The contract shall be valid upon execution by both parties, and may be for a multi-year duration if funds are available.

B. Required Contract Clauses and Attachments. At such time when a contract is awarded, the following shall be included in the contract agreement and made a part thereto:

1. Pursuant to the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (Act 2011-535, as amended by Act 2012-491), the following language shall be included as a clause in the contract:

“By signing this contract, grant, or agreement, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of third provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.”

2. Both (i) a Certificate of Compliance with the Beason-Hammon Alabama Taxpayer and Citizen Protection Act and (ii) the E-Verify Memorandum of Understanding (MOU) must also be completed by the selected Proposer and submitted to ADECA as part of the signed contract package. The E-Verify MOU can be accessed at the following link: https://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/E-Verify_Native_Documents/MOU_for_E-Verify_Employer.pdf.

3. Pursuant to Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment No. 26, the following language shall be included as a clause in the contract:

“NOT CONSTITUTE A DEBT OF THE STATE.

It is agreed that the terms and commitments contained herein shall not be constituted as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment No. 26. It is further agreed that if any provision of this Contract shall contravene any statute or Constitutional provision or amendment either now in effect or which may, during the course of the Contract, be enacted, then that conflicting provision in the Contract shall be deemed null and void. The Contract's sole remedy for the settlement of any and all disputes arising under the terms of this agreement shall be limited to the filing of a claim with the Board of Adjustment for the State of Alabama.”

4. The following language shall be included as a clause in the contract:

“CONTRACTOR NOT ENTITLED TO MERIT SYSTEM BENEFITS.

Under no circumstances shall the Contractor be entitled to receive the benefits granted to state employees under the Merit System Act.”

B. Early Termination. Any written contract entered into pursuant to this RFP may be terminated immediately by either party upon written notice.

IV. SUBMITTAL INSTRUCTIONS FOR PROPOSALS

A. Submission Deadline. Persons and/or organizations who are interested in submitting to the ADECA CED Division a Proposal in response to this RFP must mail (via the United States Postal Service) or hand-deliver one (1) original and seven (7) paper copies of the Proposal(s) in accordance with the instructions stated in this RFP. **All Proposals must be received by the ADECA CED Division not later than 12:00 p.m. (12:00 noon, Central Time) on Wednesday, January 25, 2017.** Proposals submitted after this deadline will not be accepted nor considered by the ADECA CED Division. Proposals and/or documents to be attached to Proposals that are submitted by fax or email will not be considered.

B. Submission Address. Proposals submitted in response to this RFP must be sent to the following address:

Mr. Shabbir Olia, Division Chief
Alabama Department of Economic and Community Affairs (ADECA)
Community and Economic Development Division
401 Adams Avenue, Room 500; Post Office Box 5690
Montgomery, Alabama 36103-5690

C. Questions Concerning this RFP. Any questions concerning this RFP should be addressed to Mr. Shabbir Olia, Division Chief of the ADECA CED Division. Mr. Olia's phone number is 334-242-5468, and his email address is Shabbir.olia@adeca.alabama.gov.